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19
20 **UNITED STATES DISTRICT COURT**
21 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

22 ORACLE AMERICA, INC.

Case No. CV 10-03561 WHA

23 Plaintiff,

**DECLARATION OF MEREDITH
DEARBORN IN SUPPORT OF ORACLE
AMERICA, INC.'S MOTION TO
EXCLUDE PORTIONS OF THE EXPERT
REPORTS OF GREGORY K. LEONARD
AND ALAN J. COX**

24 v.
25 GOOGLE, INC.

26 Defendant.
27
Dept.: Courtroom 8, 19th Floor
Judge: Honorable William H. Alsup

1 I, Meredith Dearborn, declare as follows:

2 1. I am an associate with the law firm of Boies, Schiller & Flexner LLP, attorneys for plaintiff
3 Oracle America, Inc. in the above captioned matter, and admitted to practice before this Court.

4 2. I make this declaration based on my own personal knowledge. If called as a witness, I
5 could and would testify competently as to the matters set forth herein.

6 3. Attached hereto as Exhibit 1 is a true and correct copy of the Expert Report of Dr. Gregory
7 K. Leonard, served by Google, Inc. on October 3, 2011. **[SUBMITTED UNDER SEAL]**

8 4. Attached hereto as Exhibit 2 is a true and correct copy the Expert Report of Dr. Alan J.
9 Cox, served by Google, Inc. on October 3, 2011. **[SUBMITTED UNDER SEAL]**

10 5. Attached hereto as Exhibit 3 is a true and correct copy of an email chain between Oracle's
11 and Google's counsel with the most recent email dated October 21, 2011. I received this e-mail.

12 6. Attached hereto as Exhibit 4 is a true and correct copy of a document produced by Google
13 in this case bearing Bates number GOOGLE-01-00019527-528, which appears to be an email from
14 Tracey Cole re: Sun meeting, dated October 11, 2005. **[SUBMITTED UNDER SEAL]**

15 7. Attached hereto as Exhibit 5 is a true and correct copy of a document produced by Google
16 in this case bearing Bates number GOOGLE-01-00019511-513, which appears to be an email from
17 Brian Swetland re: new java world, dated January 3, 2006. **[SUBMITTED UNDER SEAL]**

18 8. Attached hereto as Exhibit 6 is a true and correct copy of a document produced by Google
19 in this case bearing Bates number GOOGLE-01-00075935-936, which appears to be an email from
20 Andy McFadden re: [Android-eng] Proposal: A Variant Type, dated April 4, 2006. **[SUBMITTED
21 UNDER SEAL]**

22 9. Attached hereto as Exhibit 7 is a true and correct copy of a document produced by Google
23 in this case bearing Bates number GOOGLE-11-00000958-160, which appears to be an email from
24 Patrik Reali re: Java VM for Android, dated August 9, 2005. **[SUBMITTED UNDER SEAL]**

25 10. Attached hereto as Exhibit 8 is a true and correct copy of a document produced by Google
26 in this case bearing Bates number GOOGLE-04-00055169-171, which appears to be an email from
27 Michael Fleming re: manifesto, dated August 16, 2006. **[SUBMITTED UNDER SEAL]**

1 11. Attached hereto as Exhibit 9 is a true and correct copy of a document produced by Google
2 in this case bearing Bates number GOOGLE-02-00111218, which appears to be an email from Andy
3 Rubin re: What are we doing?, dated April 13, 2006. **[SUBMITTED UNDER SEAL]**

5 I declare under penalty of perjury that the foregoing is true and correct and that this declaration
6 was executed on October 21, 2011 at Oakland, California.

7 Dated: October 21, 2011

8 BOIES, SCHILLER & FLEXNER LLP

9 By: /s/ Meredith Dearborn
Meredith Dearborn

10 *Attorneys for Plaintiff*
ORACLE AMERICA, INC.

BOIES, SCHILLER & FLEXNER LLP
OAKLAND, CALIFORNIA

1 ATTESTATION OF FILER
2

3 I, Steven C. Holtzman, have obtained Ms. Dearborn's concurrence to file this document on her
4 behalf.
5

6 Dated: October 21, 2011
7

BOIES, SCHILLER & FLEXNER LLP
8

9 By: /s/ Steven C. Holtzman
10 Steven C. Holtzman
11

12 *Attorneys for Plaintiff*
13 ORACLE AMERICA, INC.
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